

Debunking Myths

What newspapers and television commercials might have you believe about the nature of injury lawsuits can be grossly inaccurate. Before you go about pursuing your accident case, read through these common misperceptions to be clear about what you should and should not expect from your injury lawsuit.

MYTH: I need a lawyer for every accident.

REALITY: Not all accidents require a lawyer and in fact, you may end up with *more* money in your pocket if you don't a lawyer. On the other hand, you do need to be sure that you fully understand what's involved in pursuing a car accident injury case. If you are unable to put in the time & effort needed to understand the process, then you will most likely be better off hiring a lawyer who does. If you want to pursue your claim yourself, we are happy to send you a **free copy of 7 Common Mistakes That Can Wreck Your Oregon Car Crash Case**. It's a great place to learn some of the things you'll want to know before you pursue your case yourself.

MYTH: Compensation for my injuries means I'm going to get rich!

REALITY: Getting injured in a car accident does not mean that you've won the lottery. The purpose of the legal system is to compensate a person who was injured through someone else's carelessness—*not* to make the injured person rich. Before you start packing for Hawaii, remember that the multi-million dollar cases you read about were either (a) totally made up; (b) represented the amount of money actually needed by the injured person (medical bills in the case of paralysis, for example, can be incredibly expensive) or (c) suffered from inaccurate reporting. For example, you may have read about a \$19 million race discrimination verdict in August of 2008. You probably didn't read that the verdict was reduced by the judge by about 80%. Oregon juries tend to be conservative - we don't get many huge verdicts here. And when we do, the judge usually reduces them.

MYTH: The first thing I should do after an accident is call my insurance company.

REALITY: While you should definitely call your insurance company to report your accident, you need to be sure to fully understand the process before you tell them anything more than the bare minimum. In some cases, you may even want to have a lawyer talk to them instead.

MYTH: I should try to get my settlement money as fast as possible.

REALITY: It is certainly possible to get a fast settlement and in fact, insurance companies love fast settlements, because if you're in a rush, they know they'll be able to settle for pennies on the dollar. On the other hand, if you want to get the full amount that your claim is worth, you may have to be patient. Negotiating takes time.

MYTH: It will take months for me to get a fair settlement.

REALITY: It's unusual to get a full value settlement quickly, but it can happen, and it's important to know when. Usually full value settlements are fast in "policy limits" cases—that is, when your case is clearly worth more than the limit of the insurance policy of the person who injured you.

If the person who injured you is insured for \$25,000, for instance, and your injury is clearly worth that, then the insurance company can sometimes be convinced to pay you the \$25,000 quickly. And since that's the most they will ever pay, taking it right away can be a good idea. But before you take that "policy limit" settlement, make sure that really is the limit, and that there's no other way for you to get additional money. For some ideas on how to get more money in this situation, read [Seven Common Mistakes That Can Wreck Your Oregon Car Crash Case](#).

MYTH: If the person who hurt me only has \$25,000 of insurance coverage, that's all the money I can get.

REALITY: You may be entitled to more money from your own insurance company through "underinsured motorist coverage" or UIM.

You may also be able to collect money directly from the person who hit you, even if the person has insurance. If, for instance, a jury decides that your injuries are worth \$60,000 in compensation and the person who hit you only has \$25,000 worth of insurance, then you can try to collect the extra \$35,000 directly from the person who hit you. Of course, if the person is completely broke, attempting to collect \$35,000 from them would be a complete waste of time.

Figuring out whether or not the person is completely broke—or has substantial assets—can be tricky. A good lawyer, though, should know how to do this, using either a private investigator or an asset affidavit.

Read more about these procedures in [Seven Common Mistakes That Can Wreck Your Oregon Car Crash Case](#).

MYTH: If I hire a lawyer, I'll have to pay him/her one-third of whatever money I get.

REALITY: Different firms have different payment options. One-third is the typical arrangement, but it's certainly not the rate everywhere. At our firm, we sometimes charge as little as 15% and if you choose an hourly fee - an option we provide to all of our clients - it can be even less. We can't speak for other firms, but we can guarantee that at Shulman DuBois, you will have several different options for fees, all of which will be clearly explained and fair. We will never collect an unreasonable fee.

These are perhaps the most common misconceptions about car accident cases, but it's certainly not an exhaustive list. What should be clear from this guide, however, is the

importance of knowing exactly what the process for an injury case is, and what you can reasonably expect.